

REMARKS

This Amendment is a submission under 37 C.F.R. § 1.114 for a Request for Continued Examination (RCE).

In the Office Action, claims 1-22 were rejected. More specifically,

- Claims 1-5, 7 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,598,034 (“Wakefield”);
- Claims 6 and 8 were rejected under 35 U.S.C. § 103(a) as being obvious over Wakefield in view of U.S. Patent 5,097,318 (“Tanaka”);
- Claims 9-13 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Wakefield;
- Claims 14-18 were rejected under 35 U.S.C. § 103(a) as being obvious over Wakefield in view of U.S. Patent 5,753,857 (“Choi”); and
- Claims 19-22 were rejected under 35 U.S.C. § 103(a) as being obvious over Wakefield in view of Choi and further in view of U.S. Patent 5,300,791 (“Chen”) and Japanese Patent 40304844 (“Kuroda”).

For the reasons set forth hereinbelow, Applicants respectfully request that the rejections associated with the pending claims (i.e., claims 1-22) be withdrawn.

§ 102 Rejections

Claims 1-5, 7 and 10

Applicants have herein amended independent claim 1 to clarify that the one-piece plastic body overlaps but is not directly connected to the base. As disclosed, for example, at page 8 lines 20-21 of the application, the gap between the cover (i.e., the sidewalls 27 of the body 17 of the cover 14) and the baseplate is filled with an epoxy.

Applicants submit that independent claim 1 is not anticipated by Wakefield because Wakefield fails to disclose each and every element of claim 1. *See MPEP § 2131* (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). More particularly, Applicants submit that Wakefield fails to disclose, among other things, “a cover including a one-piece plastic body and at least one electrically conductive lead, wherein the body overlaps but is not directly connected to the base ...” as recited in claim 1.

Applicants submit that Wakefield, referring to figures 3-5 thereof, discloses a plastic body 14 (referred to in the Office Action as the cover) that encapsulates an assembly that includes a dished cap 25, frame leads 20, an electronic device chip 13 and a body 10 (referred to in the Office Action as the base). In contrast to the cover recited in claim 1, Applicants also submit that the plastic body 14 disclosed by Wakefield is **directly connected to** the body 10. *See Wakefield, figures 3-5.*

Thus, Applicants submit that claim 1 is not anticipated by Wakefield because Wakefield fails to disclose each and every element of claim 1. For similar reasons, Applicants also submit that claims 2-5, 7 and 10, which depend from claim 1, are not anticipated by Wakefield. Accordingly, Applicants respectfully request that the § 102 rejections associated with claims 1-5, 7 and 10 be withdrawn.

§ 103 Rejections

Claims 6 and 8

Claims 6 and 8 depend from independent claim 1. Applicants submit that independent claim 1 is nonobvious over Wakefield in view of Tanaka because the cited references, either alone or in combination, fail to teach or suggest each and every element of claim 1. *See MPEP § 2143* (stating that one of the elements of a *prima facie* case of obviousness under § 103(a) is that the prior art references, either alone or in combination, must teach or suggest every limitation of the claimed invention). More particularly, Applicants submit that the cited references fail to teach or suggest, among other things, “a cover including a one-piece plastic body and at least one electrically conductive lead, wherein the body overlaps but is not directly connected to the base ...” as recited in claim 1.

**First**, as explained previously with respect to claim 1, Wakefield fails to teach or suggest this feature. **Second**, Applicants further submit that Tanaka fails to teach or suggest this feature. Indeed, the Office Action does not even rely on Tanaka as teaching or suggesting this feature. Rather, the Office Action cites Tanaka as disclosing solder bumps connected to conductor through-holes in order to change the wiring pattern design without changing the insulating base substrate and the insulating cover substrate. Even if taken as true, Applicants submit that Tanaka fails to remedy the defects of Wakefield with respect to claim 1.

Thus, for the reasons set forth hereinabove, Applicants submit that independent claim 1 is nonobvious over the combination of Wakefield and Tanaka. *See MPEP § 2143 id.* Applicants

further submit that claims 6 and 8, which depend from claim 1, are also nonobvious over the combination of Wakefield and Tanaka. *See* MPEP §2143.03 (stating that if an independent claim is nonobvious under §103(a), then any claim depending therefrom is nonobvious). Accordingly, Applicants respectfully request that the §103(a) rejections associated with claims 6 and 8 be withdrawn.

#### Claims 9-13

Claims 9-13 depend from independent claim 1. For the reasons set forth hereinabove, Applicants submit that independent claim 1 is nonobvious over Wakefield because Wakefield fails to teach or suggest each and every element of claim 1. *See* MPEP 2143 *id.* Applicants further submit that claims 9-13, which depend from claim 1, are also nonobvious over Wakefield. *See* MPEP 2143.03 *id.* Accordingly, Applicants respectfully request that the § 103(a) rejections associated with claims 9-13 be withdrawn.

#### Claim 14

Applicants have herein amended independent claim 14 to clarify that the one-piece plastic body overlaps but is not directly connected to the base. As disclosed, for example, at page 8 lines 20-21 of the application, the gap between the cover (i.e., the sidewalls 27 of the body 17 of the cover 14) and the baseplate is filled with an epoxy.

Applicants submit that independent claim 14 is nonobvious over Wakefield in view of Choi because the cited references, either alone or in combination, fail to teach or suggest each and

every element of claim 14. *See MPEP § 2143 id.* More particularly, Applicants submit that the cited references fail to disclose, teach or suggest, among other things, “a cover including a one-piece plastic body and at least one electrically conductive lead, wherein the body overlaps but is not directly connected to the base ...” as recited in claim 14.

First, as explained previously with respect to claim 1, Wakefield fails to teach or suggest this feature. Second, Applicants further submit that Choi fails to teach or suggest this feature. Indeed, the Office Action does not even rely on Choi as teaching or suggesting this feature. Rather, the Office Action cites Choi as disclosing an apparatus comprising an electrically conductive bump between the exposed portion of the lead and the device. Even if taken as true, Applicants submit that Choi fails to remedy the defects of Wakefield with respect to claim 14.

Thus, for the reasons set forth hereinabove, Applicants submit that independent claim 14 is nonobvious over the combination of Wakefield and Choi. *See MPEP § 2143 id.* Accordingly, Applicants respectfully request that the §103(a) rejection associated with claim 14 be withdrawn.

#### Claims 15-18

Applicants have herein amended independent claim 15 to clarify that the one-piece plastic body overlaps but is not directly connected to the base. As disclosed, for example, at page 8 lines 20-21 of the application, the gap between the cover (i.e., the sidewalls 27 of the body 17 of the cover 14) and the baseplate is filled with an epoxy.

Applicants submit that independent claim 15 is nonobvious over Wakefield in view of Choi because the cited references, either alone or in combination, fail to teach or suggest each and

every element of claim 15. *See MPEP § 2143 id.* More particularly, for reasons similar to those set forth hereinabove with respect to claim 14, Applicants submit that the cited references fail to teach or suggest, among other things, “a cover including a one-piece plastic body and at least one electrically conductive lead, wherein the body overlaps but is not directly connected to the base ...” as recited in claim 15.

Applicants further submit that claims 16-18, which depend from claim 15, are also nonobvious over the cited references. *See MPEP §2143.03 id.* Accordingly, Applicants respectfully request that the § 103(a) rejections associated with claims 15-18 be withdrawn.

#### Claims 19-22

Claims 19-22 depend from independent claim 15. For reasons analogous to those set forth hereinabove, Applicants submit that claim 15 is nonobvious over Wakefield in view of Choi and further in view of Chen (cited as teaching an optical device comprising a substrate of n-type GaAs) and Kuroda (cited as disclosing a CCD package comprising a die pad consisting of a non-alloy composite matter made by filling a specified amount of fused copper in a tungsten or molybdenum porous material are directly bonded together by soldering) because the cited references, either alone or in combination, fail to teach or suggest each and every element of claim 15. *See MPEP 2143 id.*

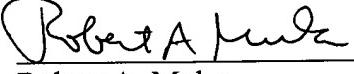
Applicants further submit that claims 19-22, which depend from claim 15, are also nonobvious over the cited references. *See MPEP §2143.03 id.* Accordingly, Applicants respectfully request that the § 103(a) rejections associated with claims 19-22 be withdrawn.

CONCLUSION

Applicants respectfully request a Notice Of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

Date: April 1, 2004

  
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